

***Prepared by and Return to:***

***David F. Delgado, Attorney***

***DELGADO LAW FIRM, PLLC***

***5779 Getwell Road, Bldg. D, Suite 5***

***Southaven, MS 38672***

***662-536-2120***

***MS Bar No. 99983***

***09-07-0058***

**Address of Grantor:**

**5779 Getwell Rd., Bldg. D, Suite 5**

**Southaven, MS 38672**

**Residence Phone: 901-277-7851**

**Business Phone: N/A**

**Address of Grantee:**

**6305 Hwy 305 North**

**Olive Branch, MS 38654**

**Business Phone: 662-895-2000**

**Indexing Instructions:** Lot 8, Browning Preserve Subdivision, situated in Section 16, Township 2 South, Range 6 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 107, Page 43-44, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

**SUBSTITUTED TRUSTEE'S DEED**

**STATE OF MISSISSIPPI  
COUNTY OF DESOTO**

WHEREAS, on September 24, 2008, J.D. Builders, LLC, executed a Deed of Trust to Richard Exley, Trustee for the use and benefit of Community Bank, N.A., which Deed of Trust is on file and of record in the office of the Chancery Clerk of DeSoto County, Mississippi, in the Deed of Trust Records Book 2950 at Page 136, thereof; and

WHEREAS, on August 6, 2009, the Holder of said Deed of Trust substituted and appointed David F. Delgado, as Trustee in said Deed of Trust, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 3066, Page 78; and

WHEREAS, default having been made in the payments of said indebtedness secured by the said Deed of Trust, and the hold of said Deed of Trust, having requested the sale for the purpose of paying said indebtedness or as much thereof as said brings; and

WHEREAS, I, David F. Delgado, Substituted Trustee, advertised the sale of the following described real property by Substituted Trustee's Notice of Sale, dated December 30, 2009, by posting same at the bulletin board on the first floor in the middle of the building between the front and back door of the courthouse in Desoto County and by publishing said Notice in The DeSoto Times Today for three (3) consecutive weeks, proof of publication being attached hereto as Exhibit "A", and incorporated herein by reference, which notice stated that the sale would be held on the 26<sup>th</sup> day of January, 2010, between the legal hours of 11 o'clock A.M. and 4 o'clock P.M., at public outcry, to the highest bidder for cash at the East front door at the Courthouse located at 2535 Hwy. 51 South at Hernando, Mississippi; and

WHEREAS, I, David F. Delgado, Substituted Trustee, did on the 26<sup>th</sup> day of January, 2010, within legal hours, offer for sale and did sell, to the highest bidder for cash at the East front door at the Courthouse located at 2535 Hwy. 51 South at Hernando, Mississippi the following described real property.

Lot 8, Browning Preserve Subdivision, situated in Section 16, Township 2 South, Range 6 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 107, Page 43-44, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

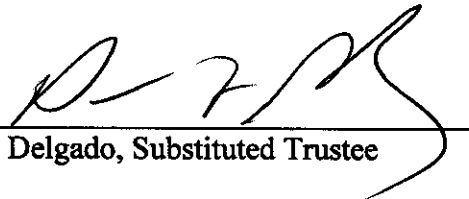
WHEREAS, at said sale Community Bank, North Mississippi, was the highest bidder and best bidder, therefore for the sum of \$186,297.27, and the same was then and there struck off to Community Bank, North Mississippi, and it was declared the purchaser thereof; and

WHEREAS, everything necessary to be done to have a good and lawful sale was done in accordance with law and the terms of the Deed of Trust; and

NOW THEREFORE, in consideration of the full payment of the purchase price, I the undersigned Substituted Trustee, do hereby sell and convey to Community Bank, North Mississippi, the land and property herein described.

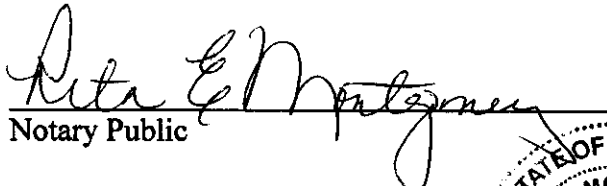
I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE this the 26<sup>th</sup> day of January, 2010.

  
David F. Delgado, Substituted Trustee

**STATE OF MISSISSIPPI  
COUNTY OF DESOTO**

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for said jurisdiction, on this the 26<sup>th</sup> day of January, 2010, the within named David F. Delgado, Substituted Trustee, who acknowledge that he executed the above and foregoing instrument of writing, after first having been duly authorized so to do as Substituted Trustee.

  
Notary Public

My Commission Expires: 7-28-13



## EXHIBIT A

# DESOTO TIMES-TRIBUNE

## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Diane Smith personally appeared before me the undersigned in and for said County and State and states on oath that she is the CLERK of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 3 consecutive times, as follows, to-wit:

### SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on September 24, 2009, J.D. Builders, LLC, executed a Deed of Trust for the use and benefit of Community Bank, N.A., which Deed of Trust is on file and of record in the office of the Chancery Clerk of DeSoto County, Mississippi, in the Deed of Trust Records Book 2950 at Page 138, thereof; and

WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted David F. Delgado, as Trustee therein, as authorized by the terms thereof, by Instrument recorded in the office of the aforesaid Chancery Clerk in Book 3066 at Page 78 thereof; and

WHEREAS, default having been made in the performance of the conditions and stipulations as set forth by said Deed of Trust, and having been requested by the legal holder of the indebtedness secured and described by said Deed of Trust so to do, notice is hereby given that I, David F. Delgado, Substituted Trustee, by virtue of the authority conferred upon me in said Deed of Trust, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.) at the east front door of the DeSoto County Courthouse in Hernando, DeSoto County, Mississippi, on the 26th day of January, 2010, the following described land and property being the same land and property described in said Deed of Trust, situated in DeSoto County, State of Mississippi, to-wit:

Lot 8, Block 1, Subdivision 16, Township 2 S, Range 6 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 107, Page 48-49, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

Volume No. 115 on the 5 day of Jan., 2010

Volume No. 115 on the 12 day of Jan., 2010

Volume No. 115 on the 19 day of Jan., 2010

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

Diane Smith

I me to the above described property is believed to be good, but I will convey only such title as is vested in me as Substituted Trustee.  
WITNESS my signature, on this the 30th day of December, 2009.

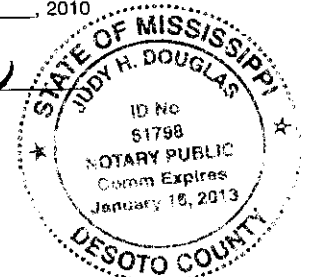
/s/David F. Delgado  
Substituted Trustee  
Prepared by:  
David F. Delgado  
Delgado Law Firm, PLLC  
5779 Getwell Rd., Bldg. D, Ste. 5  
Southaven, Mississippi 38672  
662-536-2120 (voice)  
662-536-2195 (facsimile)  
david@delgadofirm.com  
MSB 99985  
Publish: January 6th, 12th, 19th, 2010

Sworn to and subscribed before me, this 19 day of Jan., 2010

BY

Judy H. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2013  
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



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C. Making proof of publication and depositing to same \$ 3.00

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